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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,285	08/31/2004	Rogier Johannes Braak	NL 020191	6783
24737	7590	08/30/2006		EXAMINER
				ROY, SIKHA
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/506,285	BRAAK ET AL.	
	Examiner Sikha Roy	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 31 August 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 31 August 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>1005</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

The Preliminary Amendment, filed on August 31, 2004 has been entered and acknowledged by the Examiner.

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Specification***

As provided in 37 CFR 1.77(b) the specification should include following sections, each one with proper section headings such as 'Title of the Invention', 'Background of the Invention', 'Summary of the Invention', 'Brief Description of Drawing', 'Detailed Description of the Invention', 'Claims' and 'Abstract'.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 contains the trademark/trade name manufactured by 3M Company "DUAL BRIGHTNESS ENHANCEMENT FILM". Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe the semi-transparent reflective layer in claim 4 and, accordingly, the identification/description is indefinite.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,211,613 to May, and further in view of U.S. Patent 6,697,130 to Weindorf et al.

Regarding claim 1 May discloses (Figs. 1, 2 column 4 lines 20-28, 61-67 column 5 lines 1-20) a light emitting polymer display device comprising a geometrical arrangement of individually excitable polymer LEDs (cathode 2, transparent anode 4 and polymer light emitting layer 6) for forming image, a light absorbing filter layer on the substrate 12 covering the display and a semitransparent circular polarizer 14 covering the display. The display system with polymer LEDs inherently has electrical connection for providing voltages to the electrodes. The recitation of 'for transmitting light emanating from said polymer LED display and for reflecting ambient light incident on said semitransparent reflective layer so as to obscure said electrical connection for exciting said polymer LEDs' has not been given patentable weight because is considered an intended used recitation. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ 2d 1647 (1987).

Claim 1 differs from May in that May does not exemplify the semi-transparent circular polarizer as semi-transparent reflective layer.

Weindorf in relevant art discloses (Fig. 3 column 5 lines 45-59) use of a reflective polarizer 306 in front of the light pipe including LEDs 322, 324 for enhancing the brightness.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to substitute semi-transparent reflective polarizer instead of circular polarizer of May as suggested by Weindorf for enhancing the brightness.

Regarding claim 2 May and Weindorf disclose the semi-transparent reflective layer is a reflective polarizer.

Regarding claim 3 May discloses (column 2 lines 16-23) anti-reflection coatings can be used on the polarizer and other main interfaces to reduce unwanted reflections. Therefore it would have been obvious to include the anti-reflection coating between the LED display, the light absorbing filter and/or the semi-transparent reflective layer.

Regarding claim 4 Weindorf discloses (column 5 lines 55-57) the semi-transparent reflective layer is a brightness-enhancing Dual Brightness enhancement film.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,211,613 to May, U.S. Patent 6,697,130 to Weindorf et al. and further in view of U.S. Patent 6,362,566 to Xu et al.

Regarding claim 5 May discloses (column 1 lines 49-54) the displays are suitable for portable display application.

Xu discloses (column 1 lines 27-35) OLED arrays are capable of generating light under a variety of ambient sufficient light for use in displays, can be fabricated in variety of sizes cheaply and their emissive operation provides a very wide viewing angle. Xu

teaches that these displays are suitable choice for use in small electronic devices such as pagers, cellular and portable telephones.

Therefore it would have been obvious to use the display of May and Weindorf in electrical appliances as taught by Xu for generating light under a variety of ambient sufficient light, and providing a very wide viewing angle.

Regarding claim 6 electric shaver is a well known small portable electronic appliance equivalent to the ones mentioned by Xu and hence it would have been obvious to one of ordinary skill in the art to use the display of May, Weindorf and Xu in a shaver.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 5,928,801 to Broer et al. and U.S. Patent 7,012,365 to Adachi et al. discloses use of reflective polarizer in an OLED display. U.S. Patent 6,549,179 to Youngquist et al. discloses surface mounted LED arrays with a reflective polarizer covering the display. U.S. Patent Application Publication 20040135499 to Cok discloses an OLED device using a black material and a polarizer above the circuitry in the direction of light emission.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Sikha Roy*

Sikha Roy  
Patent Examiner  
Art Unit 2879